



State of Delaware  
Public Employment Relations Board  
4<sup>th</sup> Floor, Carvel State Office Building  
820 N. French Street  
Wilmington, Delaware 19801

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## NOTICE OF PROPOSED BARGAINING UNIT MODIFICATION

AFSCME Council 81, Local 1607,  
and  
New Castle County, Delaware.

:  
:  
: Representation Petition  
:  
: No. 17-12-1128(MOD)  
:

### NCC Register of Wills - OFFICE ADMINISTRATOR

AFSCME Council 81 has filed a representation petition seeking to modify the existing bargaining unit of New Castle County employees currently represented by AFSCME Local 1607 to include the following position:

#### OFFICE ADMINISTRATOR, Register of Wills Office

This petition has been verified by the Public Employment Relations Board and has been determined to be supported by thirty percent (30%) or more of the employees in the classification which AFSCME seeks to include in the existing bargaining unit.

The County has objected to the proposed modification of the bargaining unit, asserting the **ROW OFFICE ADMINISTRATOR** is a supervisory employee and therefore ineligible for inclusion in the bargaining unit. The statute defines a supervisory employee to mean, "any employee of a public employer who has the authority, in the interest of the public employer, to hire, transfer, suspend, layoff, recall, promote, discharge, assign, reward or discipline other employees, or responsibility to direct them, or to adjust their grievances, or effectively to recommend such actions, if the exercise of such authority is not a merely routine or clerical nature, but requires the use of independent judgment." 19 Del.C. §1302(s)

**WHEREFORE**, the Public Employment Relations Board will conduct a hearing in order to determine whether the **ROW OFFICE ADMINISTRATOR** is eligible for inclusion in the bargaining unit currently represented by AFSCME Local 1607. Upon scheduling of the hearing, Notices will be provided to the County for posting in the workplace in order to advise affected employees.

Any questions regarding this matter should be addressed to the Public Employment Relations Board at the address and telephone numbers above.

**IT IS SO ORDERED.**

Deborah L. Murray-Sheppard  
Executive Director, PERB

DATED: December 18, 2017